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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nobuyuki Itoh and W. Michael Kavanaugh
Application No. : 09/801,968
Filed : March 7, 2001
For : HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCT

Examiner : Christine J. Saoud
Art Unit : 1646
Docket No. : 59516-5/PP-17150.001
Date : September 13, 2002

Commissioner for Patents
Washington, DC 20231

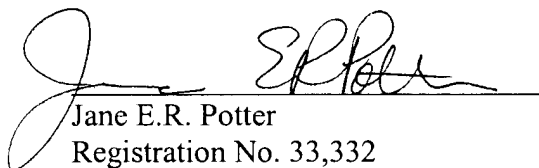
RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated May 8, 2002, applicants hereby elect Group II, claims 12-18, 22 and 53-57, drawn to polypeptides for examination at this time. At page 5, last paragraph of the Restriction Requirement, Paper No. 12, election of a single invention of polypeptide (specifically, molecules (a)-(h) of claim 12) was required. Applicants submit that as the polypeptides recited in these claims are whole or partial contiguous amino acid sequences of SEQ ID NO:4, a search of all of (a)-(h) would not be an undue burden, and respectfully request that the Examiner reconsider this requirement. If, upon reconsideration, the requirement is maintained, applicants elect invention (a) of the relevant claims.

Consideration of the elected claims is now requested.

Respectfully submitted,


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